

April 9, 2001

Thomas E. Kelly
Small Business Advocacy Chair
MC - 2131A
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Ave., NW
Washington, D.C. 20460

Subject: Control of Emissions from Nonroad Large Spark Ignition Engines, Recreational Engines (Marine and Land-based), and Highway Motorcycles; SBREFA Small Business Advocacy Panel

Dear Mr. Kelly:

I have received your letter dated March 26, 2001 regarding the above captioned rule, notifying us of the possibility of convening one or more small business advocacy review panels under §609(b) of the Regulatory Flexibility Act, as amended by the Small Business Regulatory Enforcement Fairness Act of 1996.

Having examined the list of suggested small entity representatives (SERs), SBA suggests the following additions: John McKnight of the National Marine Manufacturers Association and Dick Rowe of Indmar Products. We would also include Carl Bryant of Westerbeke (508-588-7700). Mr. Bryant has already been identified by EPA as a potential SER, but was not included in the SER list attached to the formal notification.

Presently, EPA is reviewing potential SERs to ensure that only regulated small entities are included. We look forward to continuing to work with EPA to develop and finalize a list of SERs which would help to ensure that the panel addresses issues that are important to small businesses.

Next Steps

We understand that the agency plans to re-evaluate whether the proposals would have a significant impact on a substantial number of small entities. If the agency finds no such impact, a panel would not be required under SBREFA. If a panel were convened, a final panel report would be prepared.

If a panel is warranted, we ask that EPA provide, in advance of the convening of the panel, supporting materials and possibly a draft regulatory analysis and/or draft rule (see RFA §609(b)(4)), in order to allow sufficient review time by Panel members. We also strongly recommend that the agency hold several prepanel meetings in accordance with the most current EPA SBREFA guidance to assure that adequate and timely information and data are provided to the small entity representatives and the panel representatives.

Thank you for your continued support and advocacy of small business issues. Please contact Austin Perez of my staff if you have any questions, 202-205-6936.

Sincerely,

/s/Susan Walthall

Susan Walthall
Chief Counsel for Advocacy

cc: Art Fraas, OMB